

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RICHARD MULIEK KEARNEY,

Petitioner,

v.

BARRY SMITH, *et al.*,

Respondents.

No. 4:21-CV-01636

(Chief Judge Brann)

ORDER

AND NOW, this 22nd day of September 2022, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Petitioner Richard Muliek Kearney's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DENIED**.
2. A certificate of appealability shall not issue, as Kearney has not made a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2).
3. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge